

**Appl. No.** : 09/785,944  
**Filed** : February 16, 2001

### **REMARKS**

This application has been the subject of four non-final rejections, the present Office Action presenting the fourth of these rejections. In the first rejection, dated 7/31/01, the Examiner mistakenly rejected the claims based on double patenting, though the duplicate claims had been cancelled in a preliminary amendment.

In each of the second, third and fourth rejections, the claims have been rejected as obvious in view of a combination of Fermann et al. 5,627,848 with a secondary reference.

In the second rejection, dated 4/24/02, the secondary reference (Stock et. al) was not prior art because it was filed later than the present application. Moreover, the Examiner acknowledged at page 7 of the second rejection that "Fermann [U.S. 5,627,848] discloses the claimed invention except for the multi-mode optical fiber doped with a gain medium and positioned along said cavity axis...."

The third rejection, dated 11/06/02, was a copy of the second rejection, except that a new secondary reference was used (Harter et al. 6,034,975) and the Examiner removed the admission that Fermann et al. fails to disclose multi-mode optical fiber doped with a gain medium. Thereafter, Applicant's counsel interviewed the Examiner on 1/13/03. During the interview, the Examiner's supervising primary agreed that the claims were acceptable, as to form, except that claim 55 and its dependent claims should define the steps as occurring in a laser cavity. Applicant filed an amendment on 10/16/03 making the required change to claim 55. In that Amendment, the Examiner was reminded that the Fermann et al. patent fails to disclose doped multi-mode optical fiber, and that Harter discloses single mode, not multi-mode doped fiber. In addition, the Applicant argued that Harter is not prior art to the present application.

In the current, fourth rejection, dated 3/31/2003, the Examiner has again copied the rejection originally issued in the second rejection on 4/24/02, this time substituting yet another secondary reference (Tatham 5,861,970) in combination with Fermann. Neither of these references discloses a laser having doped multi-mode fiber which amplifies light confined to the fundamental mode of the fiber. In fact, Fermann never mentions multi-mode fiber. To the contrary, the fiber 101 referred to in the Examiner's rejection, is single mode fiber, as described specifically at Col. 4, lines 19-40. The specification of a core diameter of 6 microns, with a numerical aperture of 0.16, for the fiber specified, clearly identifies single mode fiber.

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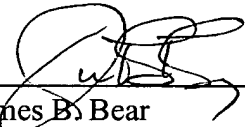
The latest combining reference, Tatham (5,861,970) does not disclose a doped multi-mode fiber. To the contrary, Tatham discloses in the Background section, at Col. 1, lines 12 -36, the reasons for not using multi-mode fiber. Other than this section of the Tatham patent, no mention is made of multi-mode fiber. Thus, since neither of the references discloses the amplification of light limited to the fundamental mode in a doped, multi-mode fiber, Applicants believe that the most recent rejection is improper, and request that the claims be passed to issue.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 6/11/03

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